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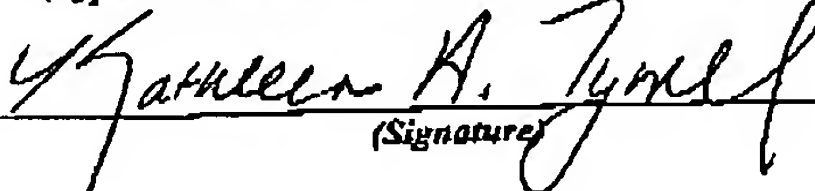
June 15, 2005

TO: Examiner Hayes (TC1700)**GROUP: 1647****FAX NUMBER: 703-872-9306****ATTORNEY DOCKET NO.: UT-0037****SERIAL NO.: 10/025,333****FILED: December 19, 2001****NUMBER OF PAGE: 9****MESSAGE:** Attached please find Amendment Transmittal Letter; Reply to Notice of Non-Complaint Amendment (37 CFR 1.121); Copy of Non-Complaint Amendment (37 CFR 1.121); and Certificate of Transmission by Facsimile.**Kathleen A. Tyrrell, Registration No. 38,350****URGENT! PLEASE DELIVER IMMEDIATELY
UPON RECEIPT. THANK YOU!**

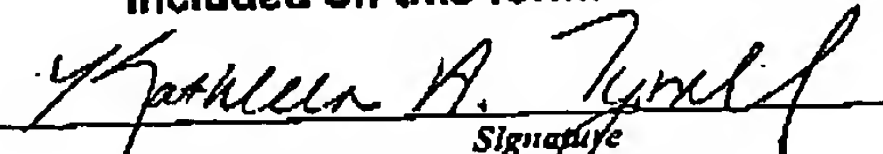
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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. UT-0037
Applicant(s): Rao and Mayer-Proschel			
Application No. 10/025,333	Filing Date December 19, 2001	Examiner Robert Clinton Hayes	Group Art Unit 1647
Invention: Generation, Characterization and Isolation of Neuroepithelial Stem Cells and Lineage Restricted Intermediate Precursor			
<p>I hereby certify that this <u>Response to Notice of Non-Compliant Amendment (37 CFR 1.121)</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u>) on <u>June 15, 2005</u> (Date)</p> <p style="text-align: right;"><u>Kathleen A. Tyrrell</u> (Typed or Printed Name of Person Signing Certificate)  (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

P18/REV02

AMENDMENT TRANSMITTAL LETTER (Small Entity)					Docket No. UT-0037	
Applicant(s): Rao and Proschel						
Application No. 10/025,333	Filing Date December 19, 2001	Examiner Hayes, Robert Clinton	Customer No. 26259	Group Art Unit 1647	Confirmation No. 4765	
Invention: Generation, Characterization and Isolation of Neuroepithelial Stem Cells and Lineage Restricted Intermediate Precursor						
COMMISSIONER FOR PATENTS:						
Transmitted herewith is an amendment in the above-identified application.						
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27						
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	2	20 =	0	x \$25.00	\$0.00	
INDEP. CLAIMS	2	3 =	0	x \$100.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment.						
<input type="checkbox"/> Please charge Deposit Account No. 50-1619 in the amount of						
<input type="checkbox"/> A check in the amount of to cover the filing fee is enclosed.						
<input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1619						
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.						
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.						
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.						
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 Signature Kathleen A. Tyrrell, Reg. No. 38,350			Dated: June 15, 2005			
CC:			<div>I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</div> <div style="text-align: center;">(Date)</div> <div style="text-align: center;">Signature of Person Mailing Correspondence</div> <div style="text-align: center;">Typed or Printed Name of Person Mailing Correspondence</div>			

P11SMALL/REV09

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CENTRAL FAX CENTER**JUN 15 2005****RECEIVED****JUN 09 2005****UNITED STATES PATENT AND TRADEMARK OFFICE**UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,333	12/19/2001	Mahendra S. Rao	UT-0037	4765

7590

06/07/2005

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, NJ 08053**EXAMINER**

HAYES, ROBERT CLINTON 3

ART UNIT**PAPER NUMBER**

1647

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 4/5/05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: Claims 1-20 are not listed (see this status)

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opa/prenotice/officefilter.pdf>.

If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

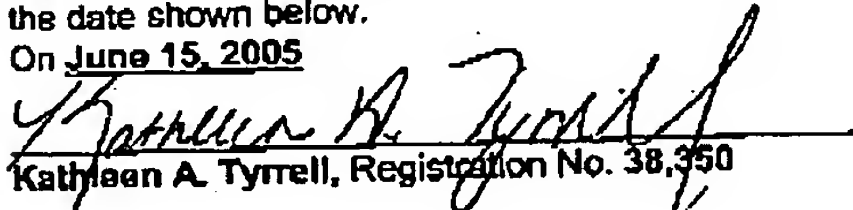
Gloria Q. Hamnell
Legal Instruments Examiner (LIE)

571-272-0561
Telephone No.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: UT-0037
Inventors: Rao and Proschel
Serial No.: 10/025,333
Filing Date: December 19, 2001
Examiner: Hayes, Robert Clinton
Customer No.: 26259
Group Art Unit: 1647
Confirmation No.: 4765
Title: Generation, Characterization and
Isolation of Neuroepithelial Stem
Cells and Lineage Restricted
Intermediate Precursor

Certificate of Facsimile Transmission
I hereby certify that this document is being facsimile
transmitted to the Patent and Trademark Office on
the date shown below.
On June 15, 2005


Kathleen A. Tyrrell, Registration No. 38,350

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Reply to Notice of Non-Compliant
Amendment (37 CFR 1.121)

This is a reply to the Notice of Non-Compliant
Amendment mailed June 7, 2005. Since the "non-compliant
amendment" was neither an after final amendment nor an
amendment filed after allowance, in accordance with 37

Attorney Docket No.: UT-0037
Inventors: Rao and Proschel
Serial No.: 10/025,333
Filing Date: December 19, 2001
Page 2

C.F.R. 1.121 and Form PTOL-324, a one (1) month statutory period is set for this response. Thus, since Applicants are filing this response within one (1) month of the mailing date of this Office Communication, neither a Petition for extension of time, nor any additional fees should be required.

Please enter the following remarks into the record.

A complete listing of all of the claims begins on page

3.

Remarks begin at page 4.